

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

AARON WILLIAMS,)	
)	
Movant,)	
)	
v.)	No. 4:12CV252 CDP
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

Before the Court is correspondence from attorney John Thomas Moran, Jr., received by the Court on February 21, 2012. In his correspondence, Mr. Moran states that he represented movant in his underlying criminal appeal in the Eighth Circuit Court of Appeals. Enclosed with the correspondence is a copy of a motion to vacate, brought pursuant to 28 U.S.C. § 2255, signed by movant's brother. Although Mr. Moran did not file his appearance in this matter or sign the motion on behalf of movant, he indicated in his correspondence that movant asked him to file the motion to vacate on his behalf.

Because Mr. Moran did not file his appearance in this matter and movant's signature is not included on the motion to vacate enclosed in the February 21, 2011, the Court cannot file the motion provided by Mr. Moran as an amended pleading in this matter. See Fed.R.Civ.P. 11(a). In the interests of justice, the

Court will provide a copy of the correspondence and the enclosures to movant, along with a blank form motion to vacate under 28 U.S.C. § 2255. Movant shall have thirty (30) days from the date of this Order to provide the Court with an amended motion to vacate, should he wish to do so. If movant fails to file an amended motion to vacate in a timely manner, the Court will consider his original motion, filed on February 10, 2012, as the sole request to correct or set aside his sentence, pursuant to 28 U.S.C. § 2255.

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall provide movant with a copy of the correspondence and enclosures received by this Court from John Thomas Moran, Jr. on February 21, 2012.

IT IS FURTHER ORDERED that the Clerk of Court shall provide movant a blank form motion to vacate under 28 U.S.C. § 2255.

IT IS FURTHER ORDERED that movant shall have thirty (30) days from the date of this Order to file an amended motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255.

IT IS FURTHER ORDERED that if movant files an amended motion to vacate in this matter, respondent shall show cause in writing, and within forty-five

(45) days of the date of the filing of the amended motion to vacate, why the relief requested in the amended motion to vacate should not be granted.

IT IS FURTHER ORDERED that the Clerk of Court shall provide a copy of this Memorandum and Order to John Thomas Moran, Jr., The Moran Law Group, 309 West Washington Street, Suite 900, Chicago, IL 60606.

Dated this 12th day of March, 2012.

A handwritten signature in cursive script, reading "Catherine D. Perry", is written over a horizontal line.

CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE